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SUBJECT: ECUMENICAL PATRIARCH ON ESPHIGMENOU MONASTERY

REF: A. A) 2002 THESSALONIKI 185

B. B) 2002 ISTANBUL 761

C. C) 2002 THESSALONIKI 62

D. D) 2002 ATHENS 613

1. (SBU) On January 16, Ecumenical Patriarch Bartholomew passed the Consul General a copy of a recent Ecumenical Patriarchate "Notification on the Sacred Monastery of Esphigmenou." The notification (see below) reiterates the Patriarchate's position on the long-standing dispute with the Esphigmenou Monastery (reftels). Bartholomew did not offer any further comment on the issue.

2. (SBU) Begin Text

A Notification on the Sacred Monastery of Esphigmenou

Religious freedom, which is internationally endorsed, stipulates that each organized religion or religious community determines the manner of receiving believers in its membership and the presuppositions for their inclusion and exclusion. Furthermore, the administration of each religion has the jurisdictional right to specify the limits of operation of its religious houses and of the all other establishments of its worship. It is self-evident and generally acceptable that the basic and indispensable presupposition of the use of places of worship (churches, monasteries, etc.) of a given religion is that whoever requests such a usage should be a member of the given religion or religious community to which the particular place of worship belongs. It is not possible for a Christian to "demand" to hold an act of worship of Christians in a Moslem mosque. No Orthodox Christian or group of Orthodox Christians have the right to demand the use of a Roman Catholic place of worship, or a Lutheran one, etc. Whether non-Orthodox churches or communities allow the use of their premises by the Orthodox is a matter that pertains to their absolute discretionary convenience. In no case could these Orthodox accuse these churches of restricting their religious freedom by not allowing them to use places of worship that belong to them.

The judgment of the highest authority of a religion concerning the deletion of certain ex-members from the registry of its active members is an internal matter (interna corporis) of this religion and cannot be questioned by other authorities. A complaint that such a judgment curtails the religious freedom of those deleted is totally baseless, because their deletion does not deprive them of the right to believe whatever they wish and as they wish and to engage in their religious activities as they decide. It only deprives them of the right to make use of places of worship of the religion from which they were deleted, because this is a self-evident consequence of their deletion. And, indeed, if they have in no way contributed to the construction of such places in question, they are certainly unable to evoke any proprietary or economic connection with them.

In the case at hand, the Sacred Monastery of Esphigmenou on the Holy Mountain of Mt. Athos has a history of centuries and was not erected by those who have occupied it since 1972. It belongs, as the entire Holy Mountain does, to the Orthodox Church under the Ecumenical Patriarchate (of Constantinople).

By virtue of the explicit regulation of article 5 of the Constitutional Charter of the Holy Mountain and of article 105 of the Constitution of the Greek State, "schismatics and heterodox" are not permitted to be residents on the Holy Mountain. "Schismatics" are those who, although not differing in faith from the Ecumenical Patriarchate, refuse to be in ecclesiastical communion with the Ecumenical Patriarchate and also with the rest of the Orthodox Churches. "Heterodox" are those who hold a different faith on a few or more points, such as the Protestants, the Roman Catholics, etc. The special arrangement, which applies to the Holy Mountain for religious purposes, is recognized by the European Union as being in agreement with European Law. This

arrangement is attached to the Treaty of the entry of Greece into the European Economic Community and has ever since been recognized as being in force.

The Ecumenical Patriarchate, exercising its spiritual jurisdiction, has characterized as schismatics the occupants of the Monastery of Esphigmenou, who since 1972 have cut-off relations with both the Ecumenical Patriarchate and the other Sacred Monasteries of the Holy Mountain. A necessary consequence of this spiritual and jurisdictional judgment, which has taken the form of an official Patriarchal and Synodical decision, is that these occupants have no longer any right to reside on the Holy Mountain. Indeed, their residence there is not based on any right of any other nature. They did not erect the Sacred Monastery, nor do they have any right over it. Their expulsion from the Holy Mountain does not offend their religious freedom to engage in religious activity as they wish. It simply safeguards the freedom of the members of the Sacred Community of the Holy Mountain to have, according to the Constitution of the Holy Mountain, monastics who have the same faith and are of the same mind and administratively united with them. For example, the condemned monks of Esphigmenou did not attend for decades the highest administrative gatherings of the Holy Mountain, the 20-membered "Sacred Community," because they did not wish to participate in the customary inaugural common prayer, established for centuries. Besides, they refused to be in ecclesiastical and administrative communion with the rest of the Sacred Monasteries of the Holy Mountain and to participate in common activities of worship and governance of any nature.

Consequently, the decision, taken after thirty years of patience, to characterize as schismatics the uncanonical occupants of the Sacred Monastery of Esphigmenou, which incurs their expulsion from the Holy Mountain, constitutes an obligatory action which has been issued in light of new, very recent and extremely injurious data. This action protects the religious freedom of the Holy Mountain, without offending the religious freedom of those expelled from it, who can engage in their religious practices as they wish in any other place outside the Holy Mountain which has been for more than a millennium specifically allocated to Orthodox believers and not schismatics.

In conclusion, the possible claims of the uncanonical occupants of the Sacred Monastery of Esphigmenou of the Holy Mountain that their characterization as schismatics and their consequent expulsion from the Holy Mountain is an assault on their religious freedom is baseless, because it does not restrict them from having any convictions and from practicing them anywhere else, except on the Holy Mountain. The Holy Mountain has been for more than a millennium specifically assigned, in accordance with its current Constitutional Charter which is in force since 1924 and the Constitution of Greece, to Orthodox Christians alone, who recognize the spiritual jurisdiction of the Ecumenical Patriarchate and the Patriarch over them, i.e. to those who are not schismatics.

End Text
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